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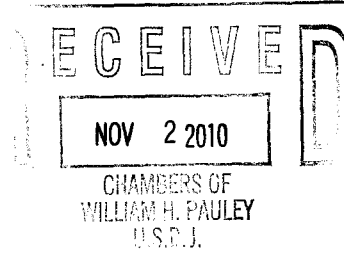
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November 2, 2010

**VIA FACSIMILE [(212) 805-6390]**

Honorable William H. Pauley III  
United States District Judge  
Southern District of New York  
United States Courthouse  
500 Pearl Street, Rm. 2210  
New York, NY 10007



Re: *Habitat for Horses et al. v. Salazar et al.*  
10 Civ. 7684 (WHP)

Dear Judge Pauley:

As the Court is aware, this office represents plaintiffs in the above-captioned matter. While Mr. Battistoni in my New York office is also on the pleadings and in the action, I am the attorney most familiar with the matter and who has the most direct contact with plaintiffs.

I write in response to the Scheduling Order dated November 1, 2010 regarding a conference to be held on November 16, 2010 at 11:00 a.m., and am requesting permission to appear telephonically because I am located in San Francisco, California and, as stated above, I am the attorney most directly involved with the case at this point.

I appreciate the Court's consideration of this matter, and await your response.

Respectfully submitted,

Bruce A. Wagman

BAW:lfl

cc: Amy A. Barcelo, Esq.  
Thomas Battistoni, Esq.

39325-0002  
SF9890531.1

Application granted. In addition,  
the conference is rescheduled for  
12:00 p.m. on November 16, 2010.

SO ORDERED:

WILLIAM H. PAULEY III U.S.D.J.